

REMARKS

Claims 12-22 are pending. Claims 1-11 have been canceled.

The prior claims were rejected over Tonyali et al. in view of Stoepplmann et al.

Tonyali et al. disclose an air brake tubing having nylon innermost and outermost layers and polyethylene intermediate layers. The PTO has previously argued that polyurethane is equivalent to polyethylene based on Stoepplmann et al., and argued that it would have been obvious to replace the polyethylene intermediate layers of Tonyali et al. with the polyurethane of Stoepplmann et al. However, Applicants respectfully disagree.

Not only does the art neither teach nor suggest such a substitution, but Applicants have discovered that polyurethane is indeed not equivalent to polyethylene. In the context of coiled air brake tubing, polyurethane-based tubing unexpectedly exhibits superior performance over coiled air brake tubing including polyethylene layers. Applicants have discovered that coiled air brake tubing formed of layers according to the presently claimed invention exhibits improved flexibility, fatigue flexing, and cold impact performance over prior art polyethylene-based systems (See pages 7-10 of the specification as originally filed).

The claimed coiled air brake tubing exhibits improved flexibility in both ambient and cold temperatures. The claimed coiled air brake tubing extends by two feet with significantly less weight than prior art coiled air brake tubing. For example, at ambient temperatures, the coiled air brake tubing extends the same distance with 60% or less weight compared with prior art coiled air brake tubing.

In addition, the claimed coiled air brake tubing exhibits improved fatigue flexing. The claimed coiled air brake tubing withstands over 10 times the fatigue flexing of prior art coiled air brake tubing. Furthermore, the claimed coiled air brake tubing exhibits improved cold impact resistance when compared with prior art nylon tubing. Specifically, the claimed coiled air brake tubing passes cold temperature impact tests according to SAE J 844 at -65 F where prior art tubing fails.

Not only does the prior art fail to disclose or suggest the substitution argued by the PTO, but also fails to even remotely suggest the attendant superior performance characteristics detailed in the present specification. In addition, the performance data show unexpected results, further indicative of the non-obviousness of the claimed invention.

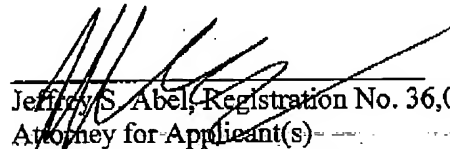
Therefore, for at least the foregoing reasons, Applicants respectfully submit that all pending claims are allowable. Accordingly, the Examiner is requested to issue a Notice of Allowance for all pending claims.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

Date

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